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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,861	10/29/2003	Hiroshi Makamura	244682US2S	5717
22850	7590	12/07/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			NGUYEN, NAM THANH	
			ART UNIT	PAPER NUMBER
			2824	

DATE MAILED: 12/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/694,861	Applicant(s) MAKAMURA ET AL.	
	Examiner Nam T. Nguyen	Art Unit 2824	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8,12-14 is/are rejected.
- 7) ☒ Claim(s) 9-11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/29/03</u> . | 6) <input checked="" type="checkbox"/> Other: <u>EAST SEARCH</u> . |

DETAILED ACTION

1. The amendment filed on 10/25/05 has been entered.

Claims 1-14 are pending in the application.

The 102 rejection (being anticipated by Hosono et al) applied to claims 1-8 and 12-13 has been withdrawn in view of the amendment and applicant argument.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in—(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1-8 and 12-14 are rejected under 35 U.S.C. 102(e) as being anticipated by the admitted prior art.

Regarding claim 1, The admitted prior art (figures 1 and 2, and pages 2-9 of the instant application) disclose a plurality of memory cell arrays (Array 0, Array1, Array 2, Array 3 of the instant application) having of a plurality of memory cells or memory cell

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units (the cell array is inherently includes a plurality of memory cells and units or a group of cells) which includes a plurality of memory cells, arranged in a matrix, wherein the plurality of memory cell arrays (Array 0, Array1) are located independently of each other (as shown in the admitted prior art in figure 2 of the instant application) and have a plurality of cell array groups each of which have two or more memory cell arrays, (in the instant case, the upper Array 0 and the lower Array0 would be one cell array group and the upper Array1 and the lower array 1 would be another cell array group) and a first Pass/Fail signal (see page 5, lines 11-15 of the instant application) indicative of success or failure of an operation is outputted in accordance with each cell array group (see page 5, lines 25-26 and page 6, lines 1-15 of the instant application)

Regarding claims 2 and 3, a parallel operation with respect to memory cells in two or more of the plurality of cell array groups (see page 9, lines 1-4).

Regarding claim 4, the operation recited in page 5, lines 10-15 is a program operation or an erasing operation.

Regarding claim 5, the first Pass/Fail signal is a Pass/Fail signal indicating whether the operation has attained success with respect to all of selected memory cells or not (see page 5, lines 27-28 and page)

Regarding claim 6, a second Pass/Fail signal of an entire chip (EEPROM chip) is also outputted when the first Pass/Fail signal is outputted (see page 6).

Regarding claim 7, a Pass/Fail signal indicating whether the operation has attained success with respect to one memory cell array selected from the two or more memory cell arrays in each of the cell array groups or not (see page 8, lines 7-11 and table 1 in page 6 and table 2 in page 7).

Regarding claim 8, the first Pass/Fail signal is outputted after a first command is inputted (see page 8, lines 7-21 and table 1 in page 6 and table 2 in page 7).

Regarding claim 12 and 13, line 11 in page 5 discloses the memory is EEPROM and the memory cell unit is a NAND cell type.

Regarding claim 14, plural word lines connected to respective plural source gates and control gates of the plurality of memory cell arrays (see page 2, lines 10-20).

Allowable Subject Matter

4. Claims 9-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance:

There is no teaching or suggestion in the prior art to:

"a third Pass/Fail signal which is different from the first Pass/Fail signal is outputted after a second command is inputted" as claimed in the dependent claim 9; or

"a forth Pass/Fail signal is outputted with respect to each of the cell arrays included in an entire chip after a third command is input" as claimed in the dependent claim 10.

Conclusion

5. The following prior art, which is considered pertinent to applicant's disclosure although not relied upon, includes:

Hosono et al. (US 2003/0214853) or Sakui et al. US. Pat no. 6,031,760) or Chen et al. Pub. No.: US 2004/0145952) disclose EEPROM cell array with pass/fail function similar to that of the present application, but fail to disclose the claimed limitations as described above.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam T. Nguyen whose telephone number is (571) 272-1878. The examiner can normally be reached on 8 am to 5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Elms can be reached on (571) 272-1869. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nam T Nguyen
Examiner
Art Unit 2824

11/28/05/05



**ANH PHUNG
PRIMARY EXAMINER**